

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 19, 1998
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:13 p.m.
Mayor Golding adjourned the meeting at 4:30 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Fishkin (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rabbi Avram Bogopulsky of
Beth Jacob Congregation.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell stating that crime is a major problem in this country. Mr. Stillwell offered suggestions to Council to eliminate this problem and encouraged Council to take action to prevent crime.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A035-058.)

ITEM-PC-2:

Comment by Ruby Watson regarding her request for Mayor Golding, Council Member George Stevens, Supervisor Ron Roberts, Congressman Bob Filner, Chief of Police Jerry Sanders, and Captain John Smith, to meet with homeowners in the Southeast San Diego area regarding foreclosure seizure of their property.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A059-080.)

ITEM-PC-3:

Comment by Ron Boshun regarding similarities between the Council and the Federal Government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A081-102.)

ITEM-PC-4:

Comment by Brad Jacobsen regarding the Hate Crime Legislation. He asked Council to issue a proclamation and a resolution to Congress decrying the hate crimes that have occurred in this country. In addition, Mr. Jacobsen asked for stronger legislation nationwide. He further stated that currently gender, sexual orientation, and disability are not covered by federal hate crime laws and he encouraged Council to request that Congress enact those protections.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A103-121.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Comments by Council Members Wear, Kehoe, and McCarty stating that due to the planning efforts of CCDC for the ballpark, the People for Trees Organization needs to find another site. They requested that the City and CCDC work with representatives from People for Trees to find them a permanent site that would accommodate their needs and operation.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A122-143.)

ITEM-CC-2:

Comment by Council Member McCarty stating that the Proposition L Initiative that Council has supported was endorsed by the Taxpayers Association.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A144-150.)

ITEM-CC-3:

Comment by Council Member Warden stating that over 100 tons of trash was removed from the Linda Vista area using CDBG funds. She informed Council that last fall they removed over 60 tons of trash and they just had 43 tons of trash removed. Ms. Warden gave special thanks to the Neighborhood Code Compliance Department and the Environmental Services Department for the fine job they did.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A151-159.)

ITEM-CC-4:

Comment by Council Member Stevens voicing his concern for the hate crime that took place in Santee where Marine Lance Corporal Carlos Colbert was kicked, stomped, and had racial remarks shouted at him while he lay helpless on the ground. Mr. Stevens encouraged the people in San Diego to not accept this type of behavior and to speak out against these crimes.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A160-184.)

ITEM-CC-5:

Comment by Mayor Golding stating that she will bring Council Member Kehoe's request for a resolution against hate crimes to the City Council. The Mayor encouraged everyone to speak out against these crimes.

Mayor Golding reminded everyone about the rally for the Padres that will be held at the Qualcomm Stadium Parking Lot, Section F2, at 5:00 p.m. She encouraged all to attend to cheer our team on in the World Series.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A185-227.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/21/98 - Adjourned
9/22/98 - Adjourned
9/28/98 - Adjourned
9/29/98
9/29/98 - Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A228-232.)

MOTION BY KEHOE TO APPROVE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Work to End Domestic Violence and End Teen Relationship
Violence Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-385) ADOPTED AS RESOLUTION R-290823

Encouraging support of the San Diego Domestic Violence
Council and proclaiming October 1, 1998 to be "Work to
End Domestic Violence and End Teen Relationship
Violence Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A233-319; A594-599.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, 33, 34, AND 129.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: Dani Grady Day.

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-435) ADOPTED AS RESOLUTION R-290824

Proclaiming October 19, 1998 to be "Dani Grady Day" in
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A320-417; A594-599.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, 33, 34, AND 129.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Celebrating the 20th Anniversary of the Elizabeth
Hospice.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-383) ADOPTED AS RESOLUTION R-290825

Proclaiming October 19, 1998 as "The Elizabeth Hospice
Day" and commending the dedicated staff and volunteers
for providing terminally ill San Diegans with 20 years
of loving care.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A418-466; A594-599.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, 33, 34, AND 129.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34:

SUBJECT: America Recycles Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-446) ADOPTED AS RESOLUTION R-290826

Recognizing the contributions of America Recycles Day,
and proclaiming November 15, 1998 to be "America
Recycles Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A467-510.)

MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, 33, 34, AND 129.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: CONTINUED TO MONDAY, NOVEMBER 30, 1998

SUBJECT: Recognizing the Outstanding Contributions made by
Volunteers in the City Attorney's Office.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-448)

Recognizing the outstanding contributions made by
volunteers in the San Diego City Attorney's Office.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO NOVEMBER 30, 1998, AT THE REQUEST OF THE CITY ATTORNEY, SO THAT HE CAN BE PRESENT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Rezoning 0.92 Acres on the North Side of Adobe Bluffs Drive West of La Trucha Street.

(Torrey Highlands Subarea IV of the North City Future Urbanizing Area. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/6/98. (Council voted 9-0):

(O-99-55) ADOPTED AS ORDINANCE O-18591 (New Series)

Rezoning 0.92 acres located on the north side of Adobe Bluffs Drive west of La Trucha Street, legally described as a portion of the Southwest Quarter of the Northeast Quarter of Section 12, Township 14 South, Range 3 West, San Bernardino Meridian, within the boundaries of the Torrey Highlands Subarea IV Plan of the North City Future Urbanizing Area, from the A1-10 (Agricultural) Zone into the R1-6000 (Single Family Residential) Zone.

FILE LOCATION: PERM-96-7622 (65)

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-51:

SUBJECT: Conditionally Rezoning a 4.5 Acre Site for the Scripps Gateway Project.

(Case-92-0466. Miramar Ranch North Community Area. District-5.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/29/98. (Council voted 8-0. Mayor Golding not present):

(O-99-34) ADOPTED AS ORDINANCE O-18592 (New Series)

Conditionally rezoning a 4.5 acre site for the Scripps Gateway Project, located along the southerly side of Scripps Poway Parkway and described as Unit 4, Lot 1, of Tentative Map TM-92-0466, in the Miramar Ranch North Community Plan Area, from the M-IP (Manufacturing Industrial Park) Zone into the CA (Area Shopping Center) Zone, as defined by San Diego Municipal Code Section 101.0428, and repealing Ordinance O-15612 (New Series), adopted November 16, 1981.

FILE LOCATION: LAND - Progress Guide & General Plan -
Miramar Ranch North, Scripps Gateway (9)

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Wear. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Rezoning 4.55 Acres in Hotel Circle South - Maravilla 1
(Extended Stay America).

(Case-96-7233. Mission Valley Community Area.
District-6.)

NOTE: The public testimony portion of the hearing is
closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
9/29/98. (Council voted 7-0. Councilmember Warden and
Mayor Golding not present):

(O-99-46) ADOPTED AS ORDINANCE O-18593

Incorporating 4.55 acres located at 2085 Hotel Circle
South, within the Mission Valley Community Planning
Area, from the MV-M/SP Zone into the MV-CV Zone.

FILE LOCATION: PERM-96-7233 (65)

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Amended and Restated Agreement with John Powell & Associates to Perform Engineering Services for the Deerfield Water Pump Plant.

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/29/98. (Council voted 8-0. Mayor Golding not present):

(O-99-49) ADOPTED AS ORDINANCE O-18594 (New Series)

Authorizing an amended and restated agreement with John Powell & Associates to perform engineering services for the Deerfield Water Pump Plant;

Authorizing the expenditure of not to exceed \$486,886 from Water Revenue Fund 41500, CIP-73-268.0.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54:

SUBJECT: Water Department Fees & Charges.

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/6/98. (Council voted 9-0):

(O-99-57) ADOPTED AS ORDINANCE O-18595 (New Series)

Amending Chapter VI, Article 7, of the San Diego Municipal Code by amending Section 67.05 relating to the Water Department, Operations Division, Fees and Charges.

FILE LOCATION: GEN'L - Fees & Charges - Water Department

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Guaranteed Water Supply for Manufacturers and R&D Firms.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/6/98. (Council voted 8-0. Councilmember Warden not present):

(O-99-39) ADOPTED AS ORDINANCE O-18596 (New Series)

Amending Chapter VI, Article 7, of the San Diego Municipal Code by adding Division 38 titled "Emergency Water Regulations," by amending and renumbering Section 67.38 to Section 67.3801, Section 67.38.1 to Section 67.3802, Section 67.38.2 to Section 67.3803, Section 67.38.3 to Section 67.3804, Section 67.38.4 to Section 67.3805, Section 67.38.5 to Section 67.3806, Section 67.38.6 to Section 67.3807, Section 67.38.7 to Section 67.3808, Section 67.38.8 to Section 67.3809, by renumbering Section 67.38.9 to Section 67.3810, and by renumbering and amending Section 67.39 to Section 67.3811, all relating to Emergency Water Regulations, to exempt firms using potable water for manufacturing, research and development, and related uses from the mandatory water use restrictions when reclaimed water is used on the premises and water conservation measures are employed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-56: TESTIMONY HEARD - TRAILED TO TUESDAY, OCTOBER 20,
1998, AFTER EXECUTIVE SESSION, AT THE REQUEST OF
THE CITY ATTORNEY

SUBJECT: Language for the Proposed Tobacco Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as
amended on 10/6/98. (Council voted 8-0. Councilmember
Warden not present):

(O-99-108 Rev.1)

Amending Chapter V, Article 8, of the San Diego
Municipal Code by adding Division 3, Sections 58.0301,
58.0302, 58.0303, 58.0304, 58.0305, 58.0306, 58.0307,
58.0308, 58.0309, 58.0310, 58.0311 and 58.0312, all
pertaining to Restricting the Sale, Advertising and
Promotion of Tobacco Products to Minors.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272; B405-480.)

* ITEM-100:

SUBJECT: Accepting Low Bid for the Torrey Pines Golf Course
North Course Irrigation and Cart Paths.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-398) ADOPTED AS RESOLUTION R-290827

Accepting the low bid of \$2,232,034 and awarding a contract to Valley Crest Landscape, Inc. for Torrey Pines Golf Course North Course Irrigation and Cart Paths;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$96,209.73 from CIP-29-648.0, Torrey Pines Golf Course Irrigation System and Cart Paths South Course to CIP-29-704.0, Torrey Pines Golf Course Irrigation System and Cart Paths - North Course;

Authorizing the expenditure of an amount not to exceed \$288,590 from CIP-29-704.0, Torrey Pines Golf Course Irrigation Systems and Cart Paths North, Enterprise Fund No. 41402, and an amount not to exceed \$207,464 from CIP-70-941.0, Annual Allocation-Reclaimed Water, Fund No. 41500, to supplement funds previously authorized by Resolution R-289981, adopted April 20, 1998;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K98078C)

CITY MANAGER SUPPORTING INFORMATION:

On July 10, 1998, bids were opened for the subject project. Two bids were received. The lowest bid, from Valley Crest Landscape, Inc. is for a total of \$2,232,034, which is 19 percent over the Engineer's estimate. The Torrey Pines Golf Course is located at 11480 North Torrey Pines Road in the University City Community Area. The proposed project will provide a new irrigation system which will allow the use of reclaimed water for irrigation and improved golf cart paths. This is the second phase of a complete irrigation system renovation project for the North Course. The first phase of this project provided a pump plant for the North Course.

Aud. Cert. 9900369.

FILE LOCATION: CONT - Valley Crest Landscape, Inc.
W.O. 119936

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract to Kemwater North America for
Ferric Chloride.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-41) ADOPTED AS RESOLUTION R-290828

Accepting the low bid of and awarding a contract to
Kemwater North America (Antioch, CA) for furnishing
ferric chloride, as may be required for a period of one
year beginning November 1, 1998 through October 31,
1999, for a total estimated cost of \$3,060,103.23,
including tax and terms, with options to renew the
contract for four additional one year periods, with
price escalations not to exceed 15 percent of prices in
effect at the end of each prior contract year;

Authorizing the expenditure of not to exceed
\$3,060,103.23, of which \$1,566,772.86 is from Fund No.

41508, Dept. 771, Org. 410, Object Account 3221, Job Order 002412; \$550,818.58 is from Fund 41508, Dept. 771, Org. 410, Object Account 3221, Job Order No. 002412; \$275,409.29 is from Fund 41508, Dept. 771, Org. 410, Job Order 002412; and \$667,102.50 is from Fund 41508, Dept. 771, Org. 310, Job Order No. 002311, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B58/99)

CITY MANAGER SUPPORTING INFORMATION:

Metropolitan Wastewater Department, Operations and Maintenance Division, uses ferric chloride at four sites: Point Loma Wastewater Plant, Metro Pump Station No. 1, Metro Pump Station No. 2 and Metro Biosolids Center. This chemical is used for coagulation of solids to enhance solids removal at Point Loma, to control sulfide generation (odor control) at Pump Stations 1 and 2, and to enhance the dewaterability of sludge and protect the centrate lines from struvite (scale deposit) growth at Metro Biosolids Center. The total estimated usage for the contract year is 15,850 dry tons of ferric chloride. However, since the plants cannot determine in advance exactly how much of this product they will use, a greater or lesser number of tons may be purchased as required. Four potential bidders were contacted; two bids were received. The previous contract for this material was with Kemwater North America Company at a cost of \$222 per dry ton. The current bid price of \$179.18 per dry ton is approximately 19 percent below the previous contract price. This price decrease is partially due to reduced demand for chlorine (a component of ferric chloride) in the Asian market because of the economic situation and partially due to increased competition in the market for ferric chloride in Southern California. It is

recommended that this contract be awarded to the low bidder,
Kemwater North America Company.

Aud. Cert. 9900367.

FILE LOCATION: Purchase

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Four actions related to the Final Subdivision Map of
The Bougainvillea.

(A 154-lot subdivision. Carmel Valley Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-441) ADOPTED AS RESOLUTION R-290829

Authorizing a Subdivision Improvement Agreement with
Westshaw Associates, L.P., for the installation and
completion of public improvements.

Subitem-B: (R-99-440) ADOPTED AS RESOLUTION R-290830

Approving the final map.

Subitem-C: (R-99-442) ADOPTED AS RESOLUTION R-290831

Accepting the grant deed of Westshaw Associates, L.P., granting to the City Lots 136, 138, 139 and 153 of The Bougainvillea for open space purposes.

Subitem-D: (R-99-443) ADOPTED AS RESOLUTION R-290832

Authorizing a Landscape Maintenance Agreement with Westshaw Associates, L.P., for the maintenance and monitoring of landscaping within the public rights-of-way.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of 383.025 acres into 154 lots for residential development. It is located south of 56 freeway in the Carmel Valley Community Plan Area. On December 10, 1997 the Council of the City of San Diego approved Vesting Tentative Map Resolution No. R-288198 for The Bougainvillea. The City Engineer has approved the final map and states that all conditions of the Vesting Tentative Map have been satisfied. City Council action is required to give final approval of all final maps and agreements. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29088-1-D through 29088-108-D, filed in the Office of the City Clerk under Micro Number 139.86. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$5,423,919 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$37,700 as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given

assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development. Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lots 136, 138, 139 and 153 are being deeded by separate instrument to the City at no cost as a condition of tentative map approval. These lots total 38.313 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes.

FILE LOCATION: Subitems A,B,D: SUBD - Bougainvillea;
Subitem C: DEED F-7355

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Three actions related to Approving the Final
Subdivision Map of Westview II.

(This is a 2-lot subdivision. Pacific Beach Community
Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-348) ADOPTED AS RESOLUTION R-290833

Authorizing the execution of a Subdivision Improvement Agreement with Pendleton 7 LLC, for the installation and completion of public improvements.

Subitem-B: (R-99-347) ADOPTED AS RESOLUTION R-290834

Approving the final map.

Subitem-C: (R-99-349) ADOPTED AS RESOLUTION R-290835

Approving the acceptance by the City Manager of a grant deed of Pendleton 7, granting to the City Lot 1 of Westview II 3B, for open space purposes.

CITY MANAGER SUPPORTING INFORMATION :

This map proposes the subdivision of a .915 acre site into 2 lots. One lot will be used for residential condominium development and the other lot will be used for open space purposes. The subdivision is located north of Pendleton Street and Walmar Lane in the Pacific Beach Community Plan area. On October 8, 1991 the City Council of the City of San Diego approved tentative map Resolution R-278807 for Westview II. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 26545-1-D through 26545-11-D, filed in the Office of the City Clerk under Micro Number 139.83. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$231,219.45 and a Performance Bond in that amount has been provided as surety. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Lot 1 is being deeded by separate

instrument to the City at no cost as a condition of Tentative Map approval. This lot totals .340 acres in size and will link two open space parcels and create a small passive open space park. No park fee credit is being granted by the action. This lot is to be used for open space purposes.

FILE LOCATION: Subitems A-B: SUBD - Westview II;
Subitem C: DEED F-7356

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Three actions related to Approving the Final
Subdivision Map of Tonawanda Terrace.

(This is a 19-lot subdivision. Skyline/Paradise Hills
Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-351) ADOPTED AS RESOLUTION R-290836

Authorizing a Subdivision Improvement Agreement with
Gateway Ivey Ranch Associates, Inc., for the
installation and completion of public improvements.

Subitem-B: (R-99-350) ADOPTED AS RESOLUTION R-290837

Approving the final map.

Subitem-C: (R-99-352) ADOPTED AS RESOLUTION R-290838

Authorizing a Landscape Maintenance Agreement with Gateway Ivey Ranch Associates, for the maintenance and monitoring of landscaping within the public rights-of-way.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 4.0674 acre site into 19 lots for residential development. It is located north of Parkside Drive and east of Redford Place in the Skyline/Paradise Hills Community Plan area. On September 25, 1997 the Planning Commission of the City of San Diego approved Planning Commission Resolution R-2550-PC for Tonawanda Terrace Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The approved tentative map requires the developer to purchase a portion of Site 722, an abandoned portion of the Bonita Pipeline right-of-way, located within the boundary of the proposed subdivision. The sale of the pipeline right-of-way, owned in fee title by the City of San Diego, will take place concurrently with recordation of the final map. The final map and sale are being presented to the City Council as companion items. The public improvements required for this subdivision are shown in detailed on Drawing Nos. 29112-1-D through 29112-12-D, filed in the Office of the City Clerk under Micro Number 139.85. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$425,400 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$8,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given

assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

NOTE: See Item 105 on today's docket for a companion item.

FILE LOCATION: Subitems A-C: SUBD - Tonawanda Terrace
(40)

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Two actions related to the Exclusive Sale of a Portion
of Site 722, Map-166.

(Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-1165 Cor. Copy) ADOPTED AS RESOLUTION
R-290839

Authorizing the exclusive sale by negotiation of a
portion of Site 722, being a portion of Quarter

Sections 82 and 83 of Rancho de la Nacion, Map-166,
for the sum of \$59,000 to Gateway Ivey Ranch
Associates, Inc.;

Authorizing the execution of a grant deed, granting to
Gateway Ivey Ranch Associates, Inc. said property;

Subitem-B: (R-98-1166 Cor. Copy 1) (Cor. Copy 2)
ADOPTED AS RESOLUTION R-290840

Certifying that the information contained in
Environmental Negative Declaration DEP-96-8316, has
been completed in compliance with the California
Environmental Quality Act of 1970, as amended, and
State guidelines, that the Declaration reflects the
independent judgment of the City as Lead Agency, and
that the Declaration has been reviewed and considered
by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Site 722 is an abandoned portion of the Bonita Pipeline right-of-way in Paradise Hills and has been previously designated for sale to the adjacent owner by the City Council. The adjacent owner, Gateway Ivey Ranch Associates, is developing its land into a 19-lot residential subdivision, known as Tonawanda Terrace. As the pipeline right-of-way bisects the proposed subdivision, the approved tentative map requires the developer to purchase the 0.37-acre portion of Site 722 crossing the subdivision. The sale of the pipeline right-of-way will take place concurrently with recordation of the final map, and the final map and sale are being presented to the City Council as companion items. The Water Department has no objection to the sale. The value of the sale area was determined by staff appraisal to be \$59,000.

NOTE: See Item 104 on today's docket for a companion item.

FILE LOCATION: Subitems A-B: DEED F-7357

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: \$200,000 Grant from California Energy Commission for
Clean Air Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-433) ADOPTED AS RESOLUTION R-290841

Authorizing the City Manager to accept incentive funds
in the amount of \$200,000 and execute an agreement with
the California Energy Commission for conversion of
seven heavy-duty refuse packers as part of the City's
Clean Air Project.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to accept an
incentive grant from the California Energy Commission in the
amount of \$200,000 for the cost of converting seven refuse
packers to dual fuel liquified natural gas (LNG). The acceptance
of this grant will allow the reallocation of \$200,000 from the
previously approved \$1.7 million grant from the Air Pollution
Control District for needed infrastructure. Specifically, these
funds will be applied to the design and construction of a
liquified natural gas (LNG) fueling station to service the
converted vehicles, and for required modifications to maintenance
facilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Construction of Seismic Retrofit of the City Operations
Building Pedestrian Overcrossing Over First Avenue.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-394) ADOPTED AS RESOLUTION R-290842

Accepting Program Supplement No. 11-5004(138) to Local
Agency - State Agreement for Federal Aid Project No.
11-5004(072), in the amount of \$87,000 for Seismic
Retrofit of the City Operations Building Pedestrian
Overcrossing Over First Avenue;

Accepting Program Supplement No. 11-5004(104) to Local
Agency - State Agreement for Federal Aid Project No.
11-5004(140), in the amount of \$690,000 for the Seismic
Retrofit Design of Category 1 Bridges;

Authorizing the Auditor and Comptroller to transfer not
to exceed \$87,000 from Program Supplement No. 11-
5004(104) to CIP-53-037.0, Annual Allocation -
Earthquake Restrainers for Bridges, to provide funds

for the construction of Seismic Retrofit of the City Operations Building Pedestrian Overcrossing Over First Avenue;

Authorizing the Auditor and Comptroller to transfer not to exceed \$690,000 from Program Supplement No. 11-5004(104) to CIP-53.037.0, Annual Allocation - Earthquake Restrainers for Bridges, for the Seismic Retrofit Design of Category 1 Bridges;

Authorizing the Auditor and Comptroller to transfer not to exceed \$153,000 from CIP-53-037.0, Annual Allocation - Earthquake Restrainers for Bridges, to CIP-53-038.3, Construction of Seismic Retrofit of the City Operations Building Pedestrian Overcrossing Over First Avenue;

Authorizing the expenditure of not to exceed \$153,000 from CIP-53-038.3, Construction of Seismic Retrofit of the City Operations Building Pedestrian Overcrossing Over First Avenue, of which \$87,000 is from Program Supplement No. 11-5004(138) and \$66,000 is from Program Supplement No. 11-5004(104), for the Seismic Retrofit of the City Operations Building Pedestrian Overcrossing Over First Avenue, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The City Operations Building Pedestrian Overcrossing Over First Avenue has been identified as a seismically deficient bridge by CalTrans. This project will provide for an infill shear wall,

transverse shear keys and longitudinal restrainers so that the bridge will meet current seismic standards. The total project cost is 88.53 percent Federally funded and 11.47 percent State funded.

Aud. Cert. 9900314.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Transfer of Funds for Hollins (Kumeyaay) Lake Camping
Facilities - Phase I.

(Mission Trails Regional Park Community Area.
District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-381) ADOPTED AS RESOLUTION R-290843

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$274,999.09 from
Mission Trails Regional Park Fund No. 10580 to CIP-29-
751.0, Hollins (Kumeyaay) Lake Camping Facilities;

Authorizing the expenditure of an amount not to exceed
\$274,999.09 from CIP-29-751.0, Hollins (Kumeyaay) Lake
Camping Facilities;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

On April 28, 1997, by Resolution R-288592, the Council approved \$2,162,909 for construction of Hollins (Kumeyaay) Lake Camping Facilities - Phase I, for a total project cost of \$2,471,214. Subsequent to the Resolution, the City Auditor determined that \$214,999.09 shown on the request as previously authorized for various Professional Services, had in fact not been transferred into the project, leaving the project short that amount of money. By approval of this request the City Council authorizes \$214,999.09 to be transferred into CIP-29-751.0, as originally intended. This action does not change the total project cost. During construction, regulatory agencies have raised the possibility of requiring mitigation for project activities. This request authorizes an amount of \$60,000 for consultant services and mitigation required by the resource agencies.

Aud. Cert. 9900293.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Standby Contract for Removal and Disposal of Biosolids
- Authorization for Expenditure.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-40) ADOPTED AS RESOLUTION R-290844

Authorizing the expenditure of an amount not to exceed \$618,904.08 (\$568,904.08 from Fund No. 41508, Department No. 771, Organization No. 310, Object Account No. 4222, and Job Order No. 2311; and an amount not to exceed \$50,000 from Fund No. 41508, Department No. 771, Organization No. 310, Object Account No. 4222, and Job Order No. 2314), as needed for increased requirements for disposal of non-class B biosolids during the current contract year according to the terms and conditions previously bid by Sanifill Falcon Disposal Service, Inc., for Bid No. B5088/97, Standby Contract for Removal and Disposal of Biosolids. This request will result in a contract in the amount of \$1,456,563.67 when added to monies already expended against this contract;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

In July 1996, bids were opened for the Standby Contract for Hauling and Landfill Disposal of Digested Dewatered Biosolids from the City of San Diego Sludge Dewatering Facility. The original contract period was for sixteen months beginning September 1, 1996 through December 31, 1997, with options to renew for three additional one year periods. The contract was awarded to Sanifill Falcon Disposal Services, Inc. at a cost of \$55.35 per wet ton and a standby fee of \$800 per month. The

estimated quantity of material to be removed was 13,000 wet tons per year, for a total annual estimated cost of \$732,350. In December 1997, the first contract option year was exercised for the period of January 1, 1998 through December 31, 1998 with BDC Special Waste Services, the company which had purchased Sanifill Falcon Disposal Services, Inc. The option year of the contract required that the biosolids be hauled from the Metro Biosolids Center. This contract was to be used only in the event that the City of San Diego could not certify the biosolids to meet Class B pathogen requirements and therefore to be unsuitable for beneficial use. Before July 2, 1998, the City certified its biosolids as meeting 40 CFR part 503 Class B pathogen reduction requirements through the Fecal Coliform Density method. This method was used because the City could not certify its biosolids met Class B pathogen limits based on the anaerobic digestion process at the Point Loma Wastewater Treatment Plant. As of April 1998, the City could not certify the biosolids met class B pathogen requirements, and the material was diverted for landfill disposal. Approximately 25,323 wet tons were landfilled from April 1998 through June 1998, which required the City to spend more money on this contract than was originally anticipated. As of July 2, 1998, biosolids generated in the sewerage system have been subjected to an anaerobic digestion process that satisfies the criteria for a process to significantly reduce pathogens. Using this certification method to meet Class B requirements, the City resumed its beneficial use program, and the biosolids were diverted back to land application. By certifying that the City's biosolids meet Class B pathogen limits based on the anaerobic digestion process, it is not anticipated that the landfill backup hauling contract will be used for the remainder of calendar year 1998. However, an allowance is being made for a small amount of use in the event biosolids fail to meet Class B requirements for any reason. The amount of \$837,659.49 has already been expended against this contract for services provided between January and May 1998 resulting in a total contract amount of \$1,456,563.57.

Aud. Cert. 9900366.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Installation of Water Flow Meters on Major Transmission
Pipelines.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-415) ADOPTED AS RESOLUTION R-290845

Amending the Fiscal Year 1999 Budget by adding CIP-73-350.0, Installation of Water Flow Meters on Major Transmission Pipelines;

Amending the Fiscal Year 1999 Budget by increasing appropriations by \$500,000 for CIP-73-350.0, Water Flow Meter Installations, from Water Revenue Fund No. 41500, fund balance;

Authorizing the expenditure of not to exceed \$500,000 from CIP-73-350.0, Water Flow Meter Installations, Water Revenue Fund 41500, including City Force work totaling \$410,000, for the purchase and installation of water flow meters.

CITY MANAGER SUPPORTING INFORMATION:

Upon City Council approval of this request, the Water Department's Water Operations Division will install on existing water transmission pipelines 16 water flow meters. Each flow meter will record the instantaneous quantity, velocity, and flow direction of water passing through the meter at any given time of day. When the flow meters are installed, the Water Department will realize many benefits such as the ability to see how much water is actually flowing through each of the metered transmission pipelines at any given time. This information will help operate the water system. In addition, the flow metering data will be compared to the existing water model as a check of theoretical data against actual field data. The flow meter data will be stored in an electronic data base. By having Water Operations Division installing the water flow meters, a savings of approximately \$5,000 to \$10,000 per meter was realized. In the future, when new water transmission pipelines are constructed, flow meters will be incorporated into the original design.

Aud. Cert. 9900335.

CIP-14-99-006.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Owner Controlled Insurance Program Additional Premium.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-418) ADOPTED AS RESOLUTION R-290846

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$900,000 from Fund No. 41509, CIP-46-184.0, Owner Controlled Insurance Program, in the following manner: \$450,000 to Fund No. 41509, CIP-42-910.1, North City Water Reclamation Plant; and \$450,000 to Fund No. 41509, CIP-42-911.4, Metro Biosolids Center;

Authorizing the expenditure of an amount not to exceed \$450,000 from Fund No. 41509, CIP-42-910.1, North City Water Reclamation Plant, and \$450,000 from Fund No. 41509, CIP-42-911.4, to provide funds for additional related costs in connection with Metropolitan Wastewater Department projects, provided that the City Auditor and Comptroller, first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

On June 21, 1994, the City Council adopted Resolution R-284112 approving the City to enter into a contract with Sedgwick James of California for administrative services for an Owner Controlled Insurance Program (OCIP). On November 14, 1994, the City Manager approved the execution of contracts for OCIP worker's compensation, general liability, builder's risk, and excess

liability insurance policies. Each year, premiums are developed and paid monthly by the City. The premiums for the Builder's Risk policy were developed on an estimated construction value and completion date. The City is obligated in the construction contracts to supply Builder's Risk insurance protecting the contractor's work and materials for the full insurable value of the project. The contractor has an insurable interest until there is final acceptance of the project by the City. The only way to protect the contractor for his insurable interest is to maintain the Builder's Risk insurance on the project until there is final acceptance by the City. Since the dates for final acceptance were extended on certain capital improvement projects, the Builder's Risk coverage on those projects had to be extended causing the additional premium.

Aud. Cert. 9900358.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Linda Vista Liveable Neighborhood/Economic Need Fund -
Genesee Avenue Phase II.

(Linda Vista Community Area. Districts-5 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-428) ADOPTED AS RESOLUTION R-290847

Amending the Fiscal Year 1999 Capital Improvement Program Budget by adding CIP-52-667.0, Genesee Avenue Phase II Landscape Improvements;

Authorizing the appropriation, transfer and expenditure of not to exceed \$95,000 from the TransNet/Linda Vista Liveable Neighborhood/Economic Need Fund 30304 into CIP-52-667.0, Genesee Avenue Phase II Landscaping Improvements, for use on the design and construction of Genesee Avenue Median and Landscaping Improvements, Phase II;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the TransNet/Linda Vista Liveable Neighborhood/Economic Need Fund 30304.

CITY MANAGER SUPPORTING INFORMATION:

On June 30, 1997, the City Council transferred \$1.74 million from the Gas Tax Fund 302191 and the Renaissance Commission TransNet Fund 30300 into the Liveable Neighborhood/Economic Need Fund, dividing it into 12 equal portions of \$145,000 to be used in the 12 liveable neighborhood areas. Council Districts 5 and 6, responsible for the Linda Vista Neighborhood Area, have projected this funding be used for improvements to Genesee Avenue between Richland Street and SR-163. \$95,000 would be transferred into CIP-52-667.0 for continuing improvements to Genesee Avenue - Phase II between Richland Street and SR-163 in Council Districts 5 and 6.

Aud. Cert. 9900363.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Revised Conflict of Interest Code for the Office of the
San Diego City Attorney.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-227) ADOPTED AS RESOLUTION R-290848

Adopting the Revised Conflict of Interest Code for the
Office of the San Diego City Attorney.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Revised Conflict of Interest Code for the Offices of
the City Council.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-99-369) ADOPTED AS RESOLUTION R-290849

Adopting the Revised Conflict of Interest Code for the
Offices of the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Revised Conflict of Interest Code for the Development
Services Business Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-234 Cor.Copy) ADOPTED AS RESOLUTION R-290850

Adopting the Revised Conflict of Interest Code for the
Development Services Business Center.

CITY MANAGER SUPPORTING INFORMATION:

The original Conflict of Interest Code for Development Services
was adopted by Council Resolution R-285019 on December 5, 1994,
as required by the Political Reform Act (Government Code 81000 et
seq.). The Development Services Conflict of Interest Code has
been revised to reflect updated designated positions required to
disclose economic interests. This review is also intended to
conform to Government Code 87306.5 requiring biennial review and

update of local Conflict of Interest codes as reflected in City Council Resolution R-287479, adopted on June 10, 1996. Last date of review/update: October 28, 1996 (R-289972).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Revised Conflict of Interest Code for the Financial and Technical Services Business Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-232) ADOPTED AS RESOLUTION R-290851

Adopting the Revised Conflict of Interest Code for the Financial and Technical Services Business Center.

CITY MANAGER SUPPORTING INFORMATION:

The Financial and Technical Services Business Center's Conflict of Interest Code was last revised by Resolution R-287943 on October 21, 1996. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-287479 adopted on June 10, 1996. The Financial and Technical Service's code has been revised to include new

positions which had not previously been designated, to reflect changes in the departmental organization, and to update the required filing categories for each position.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Revised Conflict of Interest Code for Fire and Life
Safety Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-330 Cor. Copy) ADOPTED AS RESOLUTION R-290852

Adopting the Revised Conflict of Interest Code for Fire
and Life Safety Services.

CITY MANAGER SUPPORTING INFORMATION:

Fire and Safety Services Conflict of Interest Code was last revised by Resolution R-284777 on October 21, 1996. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution R-287479 adopted on June 10, 1996. The Fire and Life Safety Services code has been revised to include new positions which had not been previously designated, to reflect changes in the Departmental organization, and to update the required filing categories for each position.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Conflict of Interest Code for Intergovernmental
Relations Department.

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-99-370) ADOPTED AS RESOLUTION R-290853

Adopting the Revised Conflict of Interest Code for the
Intergovernmental Relations Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Conflict of Interest Code for the Local Enforcement
Agency (LEA) Hearing Panel.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-358 Cor.Copy) ADOPTED AS RESOLUTION R-290854

Adopting the Conflict of Interest Code for the Local
Enforcement Agency (LEA) Hearing Panel.

CITY ATTORNEY SUPPORTING INFORMATION:

On May 4, 1998, per Resolution No. R-290036, the members of the
Local Enforcement Agency (LEA) Hearing Panel were appointed. It
is required that a Conflict of Interest Code be adopted for the
Hearing Panel. Therefore, it is recommended that this Conflict
of Interest Code be adopted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Revised Conflict of Interest Code for the San Diego
Police Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-233) ADOPTED AS RESOLUTION R-290855

Adopting the Revised Conflict of Interest Code for the
San Diego Police Department.

CITY MANAGER SUPPORTING INFORMATION:

Police Department's Conflict of Interest Code was last revised by Resolution R-289736 on March 17, 1998. This revision was intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution R-287479 adopted on June 10, 1996. The Police Department's code has been revised to include new positions which had not been previously designated and clarify the language of the required reporting categories.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: Revised Conflict of Interest Code for the Public
Facilities Financing Authority of the City of San
Diego.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-427) ADOPTED AS RESOLUTION R-290856

Adopting the Revised Conflict of Interest Code for the
Public Facilities Financing Authority of the City of
San Diego.

CITY ATTORNEY SUPPORTING INFORMATION:

The Conflict of Interest Code for the Public Facilities Financing
Authority of the City of San Diego was last revised through
Resolution R-287049, adopted March 18, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Conflict of Interest Code for the Qualcomm Stadium
Advisory Board.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-221) ADOPTED AS RESOLUTION R-290857

Adopting a Conflict of Interest Code for the Qualcomm
Stadium Advisory Board.

CITY MANAGER SUPPORTING INFORMATION:

On May 4, 1998, per Ordinance No. O-18509, the Qualcomm Stadium Advisory Board was adopted. It is required that a Conflict of Interest Code be adopted for the Board. Therefore, it is recommended that this Conflict of Interest Code be adopted.

FILE LOCATION: MEET (Stadium 61)

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Revised Conflict of Interest Code for the Southeastern Economic Development Corporation.

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-220 Cor.Copy) ADOPTED AS RESOLUTION R-290858

Adopting the Revised Conflict of Interest Code for the Southeastern Economic Development Corporation.

SUPPORTING INFORMATION:

The Southeastern Economic Development Corporation's Conflict of Interest Code was last revised by Resolution R-287015 on March 5, 1996. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of

interest codes as reflected by City Council Resolution R-287479 adopted on June 10, 1996. Appendix A has been revised to reflect changes, additions and/or deletions in the position titles, and Appendix B has been revised to reflect changes to Disclosure Categories.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: One-Way Operation in the Alley between Herschel Avenue
and Wall Street.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-345) ADOPTED AS RESOLUTION R-290859

Declaring the Alley between Herschel Avenue and Wall
Street to be One-Way Southbound;

Authorizing the installation of the necessary signs and
markings; the regulations imposed shall become
effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will establish a one-way southbound alley between Herschel Avenue and Wall Street. Council approval is required according to Municipal Code Section 82.19. A petition representing 9 of 12 affected properties (75%) was submitted supporting this action. The La Jolla Community Planning Association supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Establishing Angle Parking on the East Side of Oregon Street.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-384) ADOPTED AS RESOLUTION R-290860

Establishing angle parking on the east side of Oregon Street between Lincoln Avenue and Polk Avenue;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the east side of Oregon Street between Lincoln Avenue and Polk Avenue. Currently, there is parallel parking in this segment. This action will provide 10 additional parking spaces. Council approval is required according to San Diego Municipal Code Section 86.03. The City of San Diego and San Diego Unified School District property fronts the affected area. The San Diego Unified School District and the Greater North Park Planning Committee support this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Malin Burnham Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-412) ADOPTED AS RESOLUTION R-290861

Proclaiming Saturday, October 10, 1998 to be "Malin Burnham Day" in San Diego, in recognition of his outstanding contributions to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Don Larsen Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-413) ADOPTED AS RESOLUTION R-290862

Proclaiming Friday, October 9, 1998 to be "Don Larsen
Day" in San Diego, in recognition of his outstanding
contributions to the sport of Baseball.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Peter Peckham Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-414) ADOPTED AS RESOLUTION R-290863

Proclaiming October 11, 1998 to be "Peter Peckham Day"
in San Diego, in recognition of his outstanding
contributions to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: John E. Minafee Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-395) ADOPTED AS RESOLUTION R-290864

Commending John E. Minafee for his 43 years of
commitment and devotion;

Proclaiming October 17, 1998 to be "John E. Minafee
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A511-599.)

CONSENT MOTION BY STALLINGS TO ADOPT ITEMS 31, 32, 33, 34,
AND 129. Second by Wear. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: Recognizing Reverend Walter R."Pappy" Huff.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-425) ADOPTED AS RESOLUTION R-290865

Recognizing Reverend Walter R."Pappy" Huff's
contributions to his church, this community and the
City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-131:

SUBJECT: Arab-American Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-420) ADOPTED AS RESOLUTION R-290866

Proclaiming October 22, 1998 to be "Arab-American Day" in San Diego, in recognition of the contributions of Arab-Americans, and encouraging all residents to share and enjoy the festivities and cultural significance of this day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B481-530.)

MOTION BY VARGAS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Contract Amendment to the Emergency Construction of Peterlynn Drive Storm Drain.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-432) ADOPTED AS RESOLUTION R-290867

Authorizing the City Manager to amend the contract with Arrieta Construction for construction of Peterlynn Drive Drain, increasing the contract by \$500,000, increasing the total contract cost to \$1,842,660 based on original contract terms, conditions, and unit price;

Authorizing the Auditor and Comptroller to increase CIP-12-084.0, Peterlynn Drive Storm Drain, by \$124,000;

Authorizing the appropriation and transfer of not to exceed \$70,000 from CIP-12-101.0, National Avenue Storm Drain between Sigsbee and 14th Street, Fund No. 10508 to CIP-12-084.0, Peterlynn Drive Storm Drain;

Authorizing the appropriation and transfer of not to exceed \$54,000 from CIP-12-103.0, Madison Avenue and 56th Street Storm Drain, Fund No. 10508, to CIP-12-084.0, Peterlynn Drive Storm Drain;

Authorizing the expenditure of not to exceed \$500,000 from CIP-12-084.0, Fund No. 30300, for additional construction cost;

Authorizing the expenditure of not to exceed \$124,000 from CIP-12-084.0, Fund No. 10508, for in-house engineering.

CITY MANAGER SUPPORTING INFORMATION:

Heavy rain in February, 1998 caused failure of deteriorated corrugated metal storm drain pipes in Marzo and Kostner Streets in the Otay Mesa area. Sinkholes up to forty feet in diameter opened on Marzo Street and cut off access and underground utilities to existing homes. Arrieta Construction was retained in February, 1998 to repair the sinkholes and replace deteriorated CMP pipes. This emergency contract executed with Arrieta, only covered replacement of a portion of the deteriorated CMP in the area. Replacement of the deteriorated CMP is necessary to eliminate the risk of street collapse due to the weakened soil condition around the storm drain pipes. The contract amendment will allow pipe replacement to occur for the entire project. Additional funds needed for this project are transferred from National Avenue Storm Drain and Madison and 56th Street Storm Drain. Design and construction of these two projects are scheduled in FY 2000 and FY 2001 respectively, due to other higher priority projects funded this fiscal year.

Aud. Cert. 9900368.

FILE LOCATION: CONT - Arrieta Construction

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: Third Amendment to the Agreement with Conwell
Shonkwiler & Associates for Professional Services for
the Point Loma Branch Library.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-397) ADOPTED AS RESOLUTION R-290868

Authorizing a third amendment to the agreement with
Conwell Shonkwiler & Associates for professional
services required for the development of the Point Loma
Branch Library;

Authorizing the expenditure of not to exceed \$77,000
from DIF Fund No. 79508, Dept. No. 30244, CIP-35-067.0,
Point Loma Branch Library, Org. No. 106, Point Loma
Library Fund.

CITY MANAGER SUPPORTING INFORMATION:

The City entered into an agreement with architect Veitzer
Shonkwiler, AIA, on September 8, 1986 (Document No. RR-266536)

for the design of the expansion of the Point Loma Library. The design was partially completed through the conceptual design phase, then stopped due to the lack of project funding. The first amendment to the agreement was signed with Conwell Shonkwiler & Associates on May 5, 1997 (Document No. RR-288622) for the professional services to design the new Point Loma Library to be located at the southwest corner of Voltaire Street and Poinsettia Drive, including demolition of the existing library. The second amendment for increased scope of work was signed on June 15, 1998 (Document No. RR-290260). This proposed third amendment to the agreement with Conwell Shonkwiler & Associates will provide additional professional services for a modified scope of the project. The scope of work for this amendment includes an increase in the library area, and the building shell for the proposed community service center.

Aud. Cert. 9900328.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Consultant Agreement with Dahlin Group, Inc., for the Design of the Balboa Park Golf Course-Parking Lot/Clubhouse.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-422 Cor.Copy) ADOPTED AS RESOLUTION R-290869

Authorizing the execution of a consultant agreement with Dahlin Group, Inc., for professional services required for the design of the Balboa Park Golf Course-Parking Lot/Clubhouse, specifically, preparation of a Master Plan for the Clubhouse complex and design recommendations for the Clubhouse and ancillary support facilities, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$40,000 from Golf Course Enterprise Fund 41400 to Balboa Park Golf Course Fund 41401, CIP-21-843.0, Balboa Park Golf Course-Parking Lot/Clubhouse Master Plan;

Authorizing the expenditure of an amount not to exceed \$122,000 from CIP-21-843.0.

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement with Dahlin Group, Inc., will provide for the professional services required for the design of Balboa Park Golf Course-Parking Lot/Clubhouse. The Clubhouse site is located on Golf Course Drive in Balboa Park. The project will consist of preparation of a Master Plan for the Clubhouse complex and include design recommendations for the Clubhouse and ancillary support facilities. The proposed consultant was selected in accordance with Council Policy 300-7. A Request for Proposals was advertised in the San Diego Daily Transcript on June 19, 1998 and nine responses were received. The Design Consultant

Nomination Committee reviewed the responses and recommended six firms which were interviewed by the Park and Recreation Department. The City Manager received recommendations from the Park and Recreation Department and selected the Dahlin Group Inc., as the consultant for this project.

Aud. Cert. 9900333.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Amendment No. 2 to the Agreement with Dudek &
Associates for As-Needed Biological Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-411) ADOPTED AS RESOLUTION R-290870

Authorizing a second amendment to the agreement of
January 8, 1996, with Dudek & Associates for as-needed
biological services for the Metropolitan Wastewater
Department;

Authorizing the expenditure of not to exceed \$125,000
from Fund No. 41506;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to reallocate appropriation and cost to those CIP projects where costs are incurred.

CITY MANAGER SUPPORTING INFORMATION:

The contract amendment with Dudek & Associates, Inc. is for as-needed biological services for MWWD projects. The original agreement was approved by City Council on January 8, 1996, Resolution No. R-286776, for a period of two years. Amendment No. 1 was approved by City Council on March 24, 1998, Resolution No. R-286776, for \$150,000 and extended the contract for an additional period of 12 months. Amendment No. 2 is for the not-to-exceed amount of \$125,000, thus increasing the total agreement not-to-exceed value to \$525,000 and extends the agreement duration by 12 months (January 8, 2000).

Amendment No. 2 is necessary in order to serve additional biological needs in support of MWWD's Wastewater Collections Division. Work to be performed under this contract includes conducting biological field surveys and mapping, wetlands delineations, biological assessments, biological construction monitoring, revegetation monitoring, regulatory permitting, and preparation of conceptual and construction-level revegetation plans, on an as-needed basis.

Aud. Cert. 9900326.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-136:

SUBJECT: Authorizing a Third Amendment to the Agreement with Pountney and Associates, Inc., for the Design and Construction of the Mission Bay Park Shoreline Restoration, Phase III.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-429) ADOPTED AS RESOLUTION R-290871

Authorizing a third amendment to the agreement with Pountney and Associates, Inc., for professional services required to design and construct the Mission Bay Park Shoreline Restoration, Phase III;

Authorizing the expenditure of an amount not to exceed \$80,100 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, San Diego Facilities and Equipment Leasing Corporation Construction Fund 91106 (CCP 1C proceeds).

CITY MANAGER SUPPORTING INFORMATION:

On May 7, 1990, the San Diego City Council approved the Mission Bay Park Shoreline Stabilization and Restoration Plan (R-275666). The Plan, for the purpose of implementation, was divided into two phases: Phase I included hard scape (concrete bulkhead and rock revetment) protection systems at 14 sites; and Phase II included softscape (sand placement and replenishment) improvements at 17 sites. Several sites included in Phase I and Phase II were deferred by the regulatory agencies in order to collect additional information and further justify the improvement. The

additional information has now been collected and Phase III will complete this work. The sites remaining are in need of stabilization: Mariners Point, South Bahia Point/Ventura Cove, Fisherman's Channel, West Ski Island, Paradise Island and Crown Point.

On January 13, 1992, the City entered into an agreement (Document No. C-03973) with Pountney and Associates, Inc., for the professional services required for construction documents for the Phase I shoreline protection improvements in Mission Bay Park. A first amendment to the agreement with the consultant was approved and filed in the City Clerk's Office on August 20, 1993 (Document No. C-04873). The amendment provided professional engineering services for the Phase III and replenishment, and redesign of the various Phase I elements. The second amendment to the agreement provided additional services necessary to complete the Phase I and II design changes to comply with the requirements of the various environmental permitting agencies and was filed on October 26, 1994 in the Office of the City Clerk under Document No. C-05780. The third amendment to the agreement will provide the professional services necessary to complete the shoreline stabilization and restoration plan.

Aud. Cert. 9900361.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-137:

SUBJECT: Abandoned Vehicle Abatement Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-421) ADOPTED AS RESOLUTION R-290872

Authorizing the City Manager to execute a contract with
the San Diego Abandoned Vehicle Abatement Service
Authority to administer the Abandoned Vehicle Abatement
Program, for a period of up to five years.

CITY MANAGER SUPPORTING INFORMATION:

The County of San Diego has withdrawn its administrative support for the State's Abandoned Vehicle Abatement Program. By law, this program must be administered by a governmental agency within the county in which the vehicle license fees, which support the program, are collected. The program is overseen by the San Diego Abandoned Vehicle Abatement Service Authority, which is composed of seven elected officials from within the County of San Diego. Currently, two members of the San Diego City Council serve on the Service Authority. As a major beneficiary of the revenues distributed by the Service Authority, the City of San Diego, through its City Manager and Chief of Police, determined that the City should assume the duties of administrative support for the program.

A proposal was made to the Service Authority and on September 17, 1998, the Service Authority voted to accept that proposal. Under the proposal, the Police Department will assume the administrative duties for the Abandoned Vehicle Abatement Program county-wide. The cost of administering the program will be paid from funding received from the State of California. Auditor/Treasurer costs will also be paid from State funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-138:

SUBJECT: Wet Weather Storage Facility Feasibility Study
Agreement with Water 3 Engineering, Inc.

(Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-375) ADOPTED AS RESOLUTION R-290873

Authorizing the City Auditor and Comptroller to amend
the Capital Improvement Program budget to increase CIP-
45-940.0, Peak Wet Weather Flows Storage Facility, by
the amount of \$119,872, in accordance with the Fiscal
Year 1999 Appropriation Ordinance;

Authorizing an agreement with Water 3 Engineering,
Inc., to conduct a wet weather storage feasibility
study;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$119,872 within Fund
No. 41509, from Program Element No. 777210, Sewer
Revenue Fund - Unallocated Reserve, to CIP-45-940.0,
Peak Wet Weather Flows Storage Facility;

Authorizing the expenditure of not to exceed \$119,872
from Fund No. 41509, CIP-45-940.0, Peak Wet Weather
Flows Storage Facility.

CITY MANAGER SUPPORTING INFORMATION:

The City MWWD has recently completed a hydrologic study to estimate the risk of capacity-related overflows from the City's interceptors, pumping stations, and the Point Loma Wastewater Treatment Plant (PLWTP). The Study showed that the risk of overflows during wet weather events is currently at an acceptable level of less than once in ten years.

In the future, this acceptable level of hydraulic performance will be maintained through flow diversions to the planned South Bay Subsystem facilities. These new facilities are needed primarily to comply with current and anticipated mass emission rate limits required by the Ocean Pollution Reduction Act (OPRA). But an important secondary benefit of the new facilities would be to hydraulically relieve the Metropolitan Sewerage System (Metro System) and ensure that the risk of overflows remains at an acceptable level. Off-line storage of peak wet weather flows is an alternative method of providing hydraulic relief which the City MWWD is also investigating. In the independent study, "South Bay Metro Subsystem Evaluation" dated June 1997, it was recommended that the construction of off-line storage may be warranted even if the South Bay Water Reclamation Plant is constructed by 2001. The study was conducted by the firm of Carollo Engineering, overseen by the Metro Commission. The objective of the proposed study is to assess the feasibility of utilizing off-line storage to reduce peak wet weather flows in the Metro System. The issues of most concern are the availability and cost of suitable sites in appropriate locations, the possibility of multiple use of existing facilities, and the impacts that storage facilities would have on the public and the environment, etc.

Aud. Cert. 9900300.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-139:

SUBJECT: First Amendment to the Participation Agreement with
Westbrook Torrey Hills for a Miramar 712 and North City
610 Pressure Zones Water Study.

(Future Urbanizing Area, Clairemont, Linda Vista,
Pacific Beach and Serra Mesa Community Areas.
Districts-1,2,5,6 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-389) ADOPTED AS RESOLUTION R-290874

Authorizing an amendment to the Participation Agreement
of 7/8/96, with Westbrook Torrey Hills, LP (formerly AG
Land Associates), for a Miramar 712 and North City 610
Pressure Zones Water Study;

Authorizing the expenditure of an amount not to exceed
\$65,000 from Fund 41500, CIP-73-083.0, Annual
Allocation - Water Main Replacement.

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Tentative Map TM-91-0361 the Developer, AG Land
Associates, LLC, a California limited liability company, was
required to prepare a water study in accordance with the approved
scope of work for the Miramar 712/North City 610 Pressure Zones
by Pountney and Associates. Council approved the original

Participation Agreement (Resolution R-287591) with AG Land Associates, LLC, a California limited liability company (and their successor-in-interest, Westbrook Torrey Hills, LP) on December 6, 1994. The agreement provided financial reimbursement for the preparation of a water study which would include an analysis of both the existing and ultimate build out of conditions for the 610 and 712 pressure zones. The original estimated cost of the City's share of the project was \$53,871. However, during the course of the study, alternative modeling data was identified that could reduce construction requirements and result in an improved design. The increased scope of work exceeded the original project budget. Under the terms of Paragraph 5 in the original agreement, the City has agreed to reimburse the Developer for 50 percent of the Developer's actual costs to provide the water study. Preparation of the water study will benefit the City and will identify facilities needed to improve the City's water system. In addition, the water study will provide information which will assist in determining adequate water infrastructure for future customers.

Aud. Cert. 9900302.

WWF-DSD-98-348.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-140: CONTINUED TO MONDAY, NOVEMBER 9, 1998

SUBJECT: Fiscal Year 1998/99 Winter Shelter Program.

(See City Manager Report CMR-98-193 Revised.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-426 Cor. Copy)

Accepting the City Manager's findings that there do not appear to be adequate shelter beds for the estimated number of homeless persons that reside within the City of San Diego;

Declaring that a shelter emergency exists within the City of San Diego, in accordance with Government Code Section 8698 through 8698.2;

Declaring that the sheltering program outlined in City Manager Report CMR-98-193 constitutes in part the City's response addressing the declared shelter emergency;

Establishing the FY 99 Winter Shelter Fund and authorizing the Auditor and Comptroller to appropriate and expend \$603,913 for the purpose of operating the Winter Shelter Program for FY 99, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to negotiate and execute agreements and leases associated with implementing the 1998/99 Winter Shelter Program, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller to accept and expend contributions associated with the approved 1998/99 Winter Shelter Program.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/30/98, LU&H voted 5-0 to approve the recommendations in City Manager Report CMR-98-193, and refer to City Council.
(Councilmembers Mathis, Stevens, Stallings, McCarty and Vargas voted yea.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C013-515.)

Motion by Wear to adopt. Second by Vargas.

Council Member Vargas withdrew his second.

MOTION BY VARGAS TO CONTINUE TO NOVEMBER 9, 1998, TO GET MORE CLARIFICATION ON HOW THE PROGRAM WORKS, WHAT THE REQUIREMENTS ARE, LOCATION OF SITES, AND HOW MUCH THE COUNTY IS FUNDING. Second by Kehoe. Passed by the following vote: Mathis-nay, Wear-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-141:

SUBJECT: Conversion of Mission Boulevard Street Lights to High Pressure Sodium (HPS).

(See memorandums from Councilmember Wear dated 5/1/98 and 4/14/97; and memorandum from Elaine Jennings dated 6/5/98. District-2.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-434) ADOPTED AS RESOLUTION R-290875

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$12,000 from General Fund Citywide Program - Subsidy to Streets Fund for conversion of 51 designated street lights along Mission Boulevard to 250-watt HPS vapor lights.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 4/30/97, PS&NS voted 4-1 to find significant cause to grant Mission Boulevard (from Pacific Beach Drive to San Diego Place) an exception to the previous City Council action regarding the conversion of 250-watt HPS vapor lights, and that the Committee recommends that the City Council authorize the expenditure of \$12,000 from the Belmont Park Traffic Amelioration Fund 10532 for City work forces to convert 51 designated street lights along Mission Boulevard to 250-watt HPS vapor lights. Additionally, the City Manager will also provide a comparison of the crime rate in areas that have HPS lighting versus those with non-HPS lighting and establish some criteria for the installation of mid-block lighting. (Councilmembers Wear, Stevens, Warden and McCarty voted yea. Councilmember Stallings voted nay.)

SUPPORTING INFORMATION:

On April 30, 1997, the Public Safety and Neighborhood Services Committee approved in a 4-1 vote to grant Mission Boulevard (from Pacific Beach Drive to San Diego Place) an exception to the previous City Council action regarding the conversion of 250-watt HPS vapor lights, and recommended that the City Council authorize the expenditure of \$12,000 from the Belmont Park Traffic Amelioration Fund 10532 for City work forces to convert 51 designated street lights along Mission Boulevard to 250-watt HPS vapor lights. Additionally, the City Manager will also provide a comparison of the crime rate in areas that have HPS lighting versus those with non-HPS lighting and establish some criteria for the installation of mid-block lighting. Subsequent to the

Committee's action, funds were identified in General Fund
Citywide Program - Subsidy to Streets Fund for this purpose.

Aud. Cert. 9900301.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. DIRECT STAFF, AT THE
REQUEST OF COUNCIL MEMBER WARDEN, TO PROVIDE COUNCIL WITH A
REPORT THAT SHOWS THE AREAS WHERE CRIME RATES HAVE ACTUALLY
GONE DOWN AFTER CONVERTING TO HIGH PRESSURE SODIUM LIGHTS.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-142:

SUBJECT: Excusing Mayor Golding from the City Council Meeting of
9/29/98.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-450) ADOPTED AS RESOLUTION R-290876

Excusing Mayor Golding from attending the regularly
scheduled Council meeting of Tuesday, September 29,
1998, due to illness.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-143:

SUBJECT: Resolution of Intention to Establish the Morena
Business Improvement District (BID).

(Linda Vista and Clairemont Mesa Community Areas.
District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-367) ADOPTED AS RESOLUTION R-290877

Resolution of Intention to establish the Morena
Boulevard Business Improvement District pursuant to the
Parking and Business Improvement Area Law of 1989;
setting November 10, 1998 as the date for the noticed
public meeting and December 8, 1998 as the date for the
noticed public hearing.

CITY MANAGER SUPPORTING INFORMATION:

The City Council recognizes the usefulness of Business
Improvement Districts (BIDs) in the revitalization of older
commercial neighborhoods. There are currently 16 active
districts in the City of San Diego where merchants assess
themselves to provide for business development and marketing
activities, as well as streetscaping and other physical
improvements in their respective areas. Pursuant to Council
Policy 900-07, Morena Shopping Quarter has garnered approximately
20 percent support from the affected businesses for establishment
of the district. Additionally, a mailed ballot procedure was

conducted in May, 1998 under the auspices of the Office of Small Business to determine if a majority of responding businesses, by assessed value, support the formation of the BID. The result for Morena is 63 percent in favor.

The supporting organization now requests that the Council proceed with the public meeting and hearing required by State law to form the business improvement district. The public meeting required by State law will be held on November 10, 1998 and the public hearing will be held on December 8, 1998. This action would constitute the final hearing on the matter, establish the district and authorize the Manager to enter into an agreement with the business association to administer the district. The Small Business Advisory Board (SBAB) has heard the issue and recommends establishment of the district. The Business Improvement District Council (BIDC) recommends establishment of the district.

FILE LOCATION: STRT - L-19

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-144:

SUBJECT: Resolution of Intention to Establish the San Ysidro
Business Improvement District (BID).

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-365) ADOPTED AS RESOLUTION R-290878

Resolution of Intention to establish the San Ysidro Business Improvement District pursuant to the Parking and Business Improvement Area Law of 1989; setting November 10, 1998 as the date for the noticed public meeting and December 8, 1998 as the date for the noticed public hearing.

CITY MANAGER SUPPORTING INFORMATION:

The City Council recognizes the usefulness of Business Improvement Districts (BIDs) in the revitalization of older commercial neighborhoods. There are currently 16 active districts in the City of San Diego where merchants assess themselves to provide for business development and marketing activities, as well as streetscaping and other physical improvements in their respective areas. Pursuant to Council Policy 900-07, San Ysidro Business Chamber of Commerce has garnered approximately 20 percent support from the affected businesses for establishment of the district. Additionally, a mailed ballot procedure was conducted in May, 1998 under the auspices of the Office of Small Business to determine if a majority of responding businesses, by assessed value, support the formation of the BID. The result for San Ysidro is 70 percent in favor of the BID.

The supporting organization now requests that the Council proceed with the public meeting and hearing required by State law to form the business improvement district. The public meeting required by State law will be held on November 10, 1998 and the public hearing will be held on December 8, 1998. This action would constitute the final hearing on the matter, establish the district and authorize the City Manager to enter into an agreement with the business association to administer the district. The Small Business Advisory Board (SBAB) has heard the issue and recommends establishment of the district. The Business Improvement District Council (BIDC) recommends establishment of the district.

FILE LOCATION: STRT - L-20

COUNCIL ACTION: (Tape location: B531-C012.)

MOTION BY VARGAS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-145:

SUBJECT: Appointments to the Board of Appeals and Advisors
(Buildings).

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-456) ADOPTED AS RESOLUTION R-290879

Council confirmation of the following appointments by the Mayor to the Board of Appeals and Advisors (Buildings), for terms ending March 1, 2000:

Dinesh K. Patel (Fire Protection Engineer)

Arturo M. Castro (Architect)

Scot Deal (Fire Protection Engineer)

Jean Marie Libby (Civil Engineer)

Richard G. Grabhorn (Civil Engineer)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-146:

SUBJECT: Appointments and Reappointment to the Commission on
Arts and Culture.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-458) ADOPTED AS RESOLUTION R-290880

Council confirmation of the following appointments and
reappointments by the Mayor to the Commission on Arts
and Culture, for terms as indicated:

APPOINTMENTS

TERM ENDING

Jeff Dunigan August 31, 2001
(Replacing Ann Halpenny Kantor,
whose term has expired.)

Dr. Joyce M. Gattas, Ph.D. August 31, 2001
(Replacing Dr. Alan Kilpatrick,
whose term has expired.)

Faye H. Russell August 31, 2001
(Replacing Esther J. Burnham,
whose term has expired.)

REAPPOINTMENT

Calvin Manson August 31, 2001
S. Regina Smith August 31, 2001

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-147:

SUBJECT: Appointments and Reappointment to the Old Town Planned
District Design Review Board.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-453) ADOPTED AS RESOLUTION R-290881

Council confirmation of the following appointments and
reappointment by the Mayor to the Old Town Planned
District Design Review Board, for terms ending as
indicated:

<u>APPOINTMENT</u>	<u>TERM ENDING</u>
Karen Spring (Community Planning Committee) 2000 (Replacing Walter L. Palmer, who resigned.)	March 1,
Kevin Konopasek (Community Planning Committee) 2001 (Replacing Robert D. Ferris, who resigned.)	March 1,
Paul W. Johnson (Architect) 2002	March 1,

(Replacing Thomas J. Nemeth, whose term has expired.)

Edward M. Tracy (Property Owner, Old San Diego) March 1, 2002
(Reappointment.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-148:

SUBJECT: Appointments to the Park and Recreation Board.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-455) ADOPTED AS RESOLUTION R-290882

Council confirmation of the following appointments by
the Mayor to the Park and Recreation Board, for terms
ending March 1, 2000:

John C. Leppert

Doug Perry

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-149:

SUBJECT: Appointment to the Small Business Advisory Board.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-454) ADOPTED AS RESOLUTION R-290883

Council confirmation of the appointment by the Mayor of
Ms. L. Tyler Orion to serve as a member of the Small
Business Advisory Board, for a term ending July 1,
1999, representing the Member at Large category.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-150:

SUBJECT: Nomination and Appointment to the Southeastern Economic
Development Corporation Board of Directors.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-457) ADOPTED AS RESOLUTION R-290884

Declaring that after full and complete public discussion and deliberation, Kurt A. Chilcott is elected to serve as a member of the Southeastern Economic Development Corporation Board of Directors, for a term ending May 25, 1999, replacing Stephanie Sontag, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-151:

SUBJECT: Proclaiming Captain Lee Vaughn Day in the City of San Diego.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-99-471) ADOPTED AS RESOLUTION R-290885

Proclaiming Thursday, November 5, 1998 to be "Captain Lee Vaughn Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Amendments to the San Diego Municipal Code, Article 4 -
Retirement System.

RETIREMENT SYSTEM'S/CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-99-54) INTRODUCED, TO BE ADOPTED NOVEMBER 9, 1998

Introduction of an Ordinance amending Chapter II,
Article 4, of the San Diego Municipal Code by amending
Division 4 by amending the title, and by amending
Section 24.0403; by amending Division 9 by amending
Section 24.0910; by amending Division 10 by amending
Section 24.1011; and by amending Division 13 by
amending Section 24.1312, relating to the Retirement
System.

SUPPORTING INFORMATION:

The Board of Administration responsible for the administration of
the San Diego City Employees' Retirement System recommends the
following housekeeping amendments to the San Diego Municipal Code
(SDMC):

1. SDMC Section 24.0403(g), concerning the 90 percent cap
limitation on retirement allowances of Safety Members,
should be amended to conform to the practical application of
the 90 percent cap in certain DROP situations, as negotiated
by labor and management.

2. SDMC Section 24.1011, which references California Government Code Sections 20042 and 20043 governing the Public Employees Retirement System (PERS), should be amended because those sections have been renumbered by PERS and the State Legislature to Sections 20351 and 20353.
3. SDMC Section 24.0910 should be amended to reflect the fact that the Retirement Board now employs a General Counsel and an Assistant General Counsel to provide legal advice and representation related to the administration of the Retirement System.
4. SDMC Section 24.1312 should be amended to clarify that only a member of the Retirement System may purchase service credit and further that the five-year purchase of service credit provision may not be used to satisfy the ten year vesting requirement of San Diego City Charter Section 141.

The proposed amendments have been reviewed and approved by the Board. They will have no fiscal impact and will not affect any benefits to which present members are entitled. A vote of the membership pursuant to Charter Section 143.1 is not required.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO INTRODUCE. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to Curbside Recycling Processing
Contract - Prohibiting Refuse in Recycling Containers.

(See City Manager Report CMR-98-205.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-99-62) INTRODUCED, TO BE ADOPTED
NOVEMBER 9, 1998

Introduction of an Ordinance amending the San Diego Municipal Code by amending Chapter V, Article 4, Section 54.0202; Chapter VI, Article 6, Sections 66.0102, 66.0103, and 66.0126, 66.0201, 66.0401, 66.0402, 66.0403, 66.0404, and by adding new Section 66.0406, all relating to Collection, Transportation and Disposal of Refuse and Recyclable Material.

Subitem-B: (R-99-430) ADOPTED AS RESOLUTION R-290886

Authorizing an agreement with IMS Recycling Services and Allan Company, for processing and marketing of materials collected in the City's Curbside Recycling Program; the term of the contract is for a base of five years with up to five one-year options.

FILE LOCATION: Subitem A: NONE; Subitem B: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Inviting Bids for Resurfacing Various Streets City
Wide, Group R-1 (FY 99 Annual Contract).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-10) ADOPTED AS RESOLUTION R-290887

Inviting bids for Resurfacing Various Streets City
wide, Group R-1 (FY 99 Annual Contract);

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of not to exceed \$4,816,869
(\$3,788,120 from Street Division Operating Fund 10440;
\$70,000 from Water Utility Operating Fund 41500;
\$120,000 from Sewer Revenue Fund 41506; \$612,749 from
CIP-59-001.0, Annual Allocation Fund 30300; \$206,000
from Metro Wastewater CIP-70-934.0, and \$20,000 from
Metro Wastewater CIP-70-934.0, to provide work by City
forces);

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves,
provided that the City Auditor first furnishes a
certificate demonstrating that funds necessary for
expenditure are, or will be, on deposit in the City
Treasury. (BID-K99010C)

CITY MANAGER SUPPORTING INFORMATION:

This contract is part of the City's annual street maintenance
program. It provides for the repair and resurfacing of
approximately 60 miles of asphalt streets Citywide. Locations

for resurfacing are chosen through use of the City's Pavement Management System, and to avoid conflicts with underground utility work. This project includes a joint agreement with the Metro Wastewater Department to provide funding for street maintenance after the completion of the Sorrento Valley/Carroll Canyon Subsystem. A map highlighting street locations, and a planned list of streets, is being provided in a separate memorandum. Construction for this project is expected to begin in the late fall of 1998. This project does not include \$1,000,000 of the amount shown in the resurfacing FY 1999 CIP, Allocation CIP-59-001. These monies are funded using State Transportation Program - Local (STP-L) funds, which are currently under discussion regarding their final allocation at SANDAG. These funds are not currently expected to be available in time to be utilized this fiscal year.

Aud. Cert. 9900294.

FILE LOCATION: CONT - Resurfacing Various Streets City Wide, Group R-1 (FY 99 Annual Contract)
CONT - Nicholas Grant Corp./CA Comm Asphalt Corp.
COUNCIL ACTION: (Tape location: C515-D149.)

MOTION BY KEHOE TO ADOPT THE RESOLUTION. ACCEPT COUNCIL MEMBER WEAR'S REQUEST THAT EACH COUNCIL MEMBER SUBMIT A LIST TO STAFF OF ADDITIONAL STREETS THAT NEED RESURFACING IN THEIR DISTRICT, IN THE EVENT THAT A SAVINGS IS REALIZED WITH THE LOW BIDDER. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(See City Manager's Update. San Ysidro and Tijuana
River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-226) ADOPTED AS RESOLUTION R-290888

Declaring a continued State of Emergency regarding the
discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the
discharge of raw sewage from Tijuana,
Mexico

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: HEARING HELD

SUBJECT: Unclassified Position of Associate Counsel to the
Retirement Board.

RETIREMENT SYSTEM'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-99-59)

First public hearing of an Ordinance:

Amending Ordinance No. O-18551 (New Series), as
amended, entitled "An Ordinance Adopting the Annual

Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-18551, to add the position of Associate Counsel to the Retirement Board and exempting said position from the Classified Service.

NOTE: Today's action is the first public hearing of the ordinance. See Item 333 on the docket of Tuesday, October 20, 1998 for the second public hearing and introduction and adoption of the Ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272.)

Mayor Golding opened and closed the hearing.

CONSENT MOTION BY STALLINGS TO APPROVE THE FIRST HEARING. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: HEARING HELD

SUBJECT: Exempting Three Program Manager Positions in the Water Department from the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-99-53)

First public hearing in the matter of:

Amending Ordinance O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-18551, to create the positions of Construction Operations Program Manager, Engineering Program Manager and Systems Operations Manager in the Water Department and exempting said positions from the Classified Service.

NOTE: Today's action is the first public hearing. See Item 334 on the docket of Tuesday, October 20, 1998 for the second public hearing and introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department as part of a broad based internal re-engineering effort, redefined the Department's operational and organizational structure. As a result of this re-engineering effort, the Water Department requested that the following three current classifications, Senior Civil Engineer, Water Superintendent, and General Water Utility Supervisor be exempted as Program Managers from the Classified Service.

These positions will comprise an operational and system management team within the Department and, in a collaborative effort, will provide specialized construction engineering, and systems expertise in the management of daily and emergency operations.

<u>Working Title</u>	<u>No. of Positions</u>	<u>Classification</u>
<u>Department</u>		
Construction Operations		
Program Manager	1	Program Manager
Water		

Engineering
Program Manager 1 Program Manager
Water

Systems Operations Manager 1 Program Manager
Water

On August 6, 1998, the Civil Service Commission reviewed this recommendation and voted unanimously in support of exempting these three positions from the Classified Service.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272.)

Mayor Golding opened and closed the hearing.

CONSENT MOTION BY STALLINGS TO APPROVE THE FIRST HEARING.
Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Approval of the Recommendation by the Intergovernmental
Relations Department on State Proposition 9 on the
November 1998 Ballot.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-451) ADOPTED AS RESOLUTION R-290889

Approving the recommendation of the Intergovernmental
Relations Department made on October 19, 1998 on the
City of San Diego's Official Position on Proposition 9
on the November 3, 1998 General Election Ballot.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Amending Council Policy 900-07 Regarding Business
Improvement Districts.

(La Jolla, Pacific Beach, Ocean Beach, Old San Diego,
Centre City, Uptown, Greater North Park, Mid-City,
Southeast San Diego, Linda Vista, Clairemont Mesa,
College and San Ysidro Community Areas.
Districts-1,2,3,4,6,7 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-378) ADOPTED AS RESOLUTION R-290890

Amending Council Policy No. 900-07 regarding Business
Improvement Districts.

CITY MANAGER SUPPORTING INFORMATION:

During the City Council's December, 1996 deliberations concerning
the formation of the Pacific Beach and Little Italy Business
Improvement Districts (BIDs), staff was directed to develop a
mailed ballot procedure to clarify support levels for BID

formation and to draft amendments to Council Policy 900-07 reflecting that change. The policy has not been amended since February, 1992. The present version has been expanded to reflect changes in State legislation governing BIDs, including the 1997 passage of California State Proposition 218. The potential effect of Proposition 218 on business-based assessment district formation is currently being determined through the judicial system. The major change proposed for Council Policy 900-07 is a mailed ballot procedure. The proposed revised policy has been developed in conjunction with the Business Improvement District Council and the Mayor's Small Business Advisory Board. Both entities support the proposed revision.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B273-B404.)

MOTION BY KEHOE TO ADOPT THE RESOLUTION APPROVING THE CITY MANAGER'S RECOMMENDATION. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: CONTINUED TO TUESDAY, NOVEMBER 24, 1998

SUBJECT: Selection of State Representation for the City of San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-449)

Authorizing the Director of the Intergovernmental Relations Department and the City Manager to execute a Personal Services Agreement for Legislative Representation and Consulting Services for a period of 24 months, commencing on October 1, 1998.

Aud. Cert. 9900404.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO NOVEMBER 24, 1998, AT THE REQUEST OF THE MAYOR, SO THAT THE RULES COMMITTEE CAN HEAR IT FIRST. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-S400:

SUBJECT: Amending the Fourth Council District's Community Development Block Grant (CDBG) Allocation.

(District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-473) ADOPTED AS RESOLUTION R-290891

Canceling the FY 98 Community Development Block Grant \$85,000 allocation for the Community Economic Development Association and redistributing the funds to the following projects:

\$50,000 Bayview Certified Development Corporation

\$15,000 Wall of Excellence

\$15,000 Street Lights (SEDC)

\$ 5,000 Reserve

Amending the FY 99 Community Development Block Grant
Action Plan and Budget to include those projects and
amounts;

Requesting the San Diego Housing Commission to
administer the Bayview Certified Development
Corporation allocation and that the Southeastern
Economic Development Corporation administer the Street
Light project on behalf of the City;

Authorizing the City Manager to negotiate and execute
agreements for the construction of the Wall of
Excellence project.

CITY MANAGER SUPPORTING INFORMATION:

The City Council annually allocates Community Development Block
Grant (CDBG) funds by Council District. Council District Four
desires to amend their Fiscal Year 1998 CDBG allocation by
canceling the Community Economic Development Association project
for \$85,000 and reallocating the funds to the following projects:

\$50,000 Bayview Certified Development Corporation

\$15,000 Wall of Excellence

\$15,000 Street Lights (SEDC)

\$ 5,000 Reserve

Aud. Cert. 9900410.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A600-B272.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D152.)